



Lea
37001-040405

**ROANOKE CITY COUNCIL
REGULAR SESSION**

**APRIL 4, 2005
9:00 A.M.**

ROOM 159

AGENDA

Call to Order--Roll Call.

A communication from Mayor C. Nelson Harris, requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council; and to interview one applicant for appointment to the Roanoke Regional Airport Commission, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

**Approved (4-0 -- Council Members Dowe, Fitzpatrick and Lea were not present when the vote was recorded.)
File #9-110-132**

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purposes, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

**Approved (4-0 -- Council Members Dowe, Fitzpatrick and Lea were not present when the vote was recorded.)
File #132**

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification, and additions/deletions to the 2:00 p.m. agenda. (15 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

Items for discussion at the joint meeting of Council and the School Board on Monday, May 2, 2005. (15 minutes)

BRIEFINGS:

- Employee Survey Results – 20 minutes
- Solid Waste Collection Downtown – 10 minutes
- Neighborhood Revitalization Strategy
Area Plan – 15 minutes
- Vice/Organized Crime Unit – 15 minutes
- Public Arts Plan – 15 minutes

Certification of Closed Session (7-0)

**Reappointed J. Granger Macfarlane as a member of the Roanoke Regional Airport Commission for a term ending March 9, 2009.
File #9-15-110**

**The City Attorney was requested to prepare the proper measure appointing John B. Williamson, III, to fill the unexpired term of George W. Logan as a Director of the Western Virginia Water Authority, effective at the close of the May 19, 2005, meeting of the Water Authority, and ending March 1, 2008.
File #468**

The following persons were nominated to Virginia Municipal League Policy Committees:

**Environmental Quality – Council Member M. Rupert Cutler
General Laws – William M. Hackworth, City Attorney
Human Development and Education – Council Member Alfred T. Dowe, Jr.
Transportation – Vice-Mayor Beverly T. Fitzpatrick, Jr.
Finance – Jesse A. Hall, Director of Finance
File #17-110**



ROANOKE CITY COUNCIL REGULAR SESSION

**APRIL 4, 2005
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

- 1. Call to Order--Roll Call. (All Council Members were present.)**

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, April 7, 2005, at 7:00 p.m., and Saturday, April 9, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

A Resolution expressing appreciation to Senator John S. Edwards, Delegate Onzlee Ware and Delegate William H. Fralin, Jr., for their leadership and support during the 2005 session of the General Assembly.

Adopted Resolution No. 37001-040405. (7-0)

File #80-137

A Resolution memorializing the late Emma Ruth Brooks, mother of Assistant City Manager Rolanda Russell.

Adopted Resolution No. 37002-040405. (7-0)

File #80-367

A Resolution memorializing the late Roy Nelson Stroop, former President of the Wildwood Civic League.

Adopted Resolution No. 37004-040405. (7-0)

File #80-367

A Resolution congratulating the Roanoke Catholic High School boy's basketball team for winning the Fifth Virginia Independent Schools Division II State title game.

Adopted Resolution No. 37005-040405. (7-0)

File #80-467

Presentation of the United States Flag in memory of the late James N. Kincanon, former City Attorney.

File #80-367

Proclamation declaring the month of April 2005 as Fair Housing Month.

File #3-178

Proclamation declaring the week of April 10 - 16, 2005 as National Public Safety Telecommunicator's Week.

File #3-262

Proclamation declaring the month of April 2005 as Roanoke Valley Crime Line Month.

File #3-5

3.

CONSENT AGENDA

Approved (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, February 7, 2005, recessed until Friday, February 18, 2005; and the regular meeting held on Tuesday, February 22, 2005.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 18, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of The Scott Robertson Memorial Fund for tax exempt status of certain property located at the easternmost 250 feet of Densmore Road, N. W.

RECOMMENDED ACTION: Concur in the request.

File #79

- C-3 Qualification of the following:

Robert C. Jones and Sharon L. Stinnette as members of the Parks and Recreation Advisory Board, for terms ending March 31, 2008;

Stuart H. Revercomb as a Director of the Industrial Development Authority, to fill the unexpired term of William L. Bova, resigned, ending October 20, 2005; and

Stephen S. Willis as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2007.

RECOMMENDED ACTION: Received and filed.

File #15-67-110-202-207

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A request of the Roanoke Regional Airport Commission to present the proposed 2005-2006 Operating Budget and Proposed Capital Expenditures. Jacqueline L. Shuck, Executive Director, Spokesperson. (Sponsored by the City Manager.)

Adopted Resolution No. 37003-040405. (7-0)

File #9-60

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFING:

Status Report – Affirmative Action and Diversity
Initiatives for Calendar Year 2004 – 15 minutes
File #184-411

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the Juvenile Accountability Block Grant from the Department of Criminal Justice Services, in the amount of \$40,581.00; and appropriation of funds.
Adopted Budget Ordinance No. 37006-040405 and Resolution No. 37007-040405. (7-0)
File #60-236-304-305
2. Acceptance of insurance advances and proceeds received in connection with flood related damages to City property, in the amount of \$188,191.00; and appropriation of funds.
Adopted Budget Ordinance No. 37008-040405. (7-0)
File #60-166-237
3. Authorization to submit required forms through which streets are added to or deleted from the City's street system to determine State maintenance payment eligibility.
Adopted Resolution No. 37009-040405. (7-0)
File #77-514
4. Authorization to acquire the necessary property rights in connection with the Southern Hills Drive – Street and Drainage Improvements Project.
Adopted Ordinance No. 37010-040405. (7-0)
File #27

5. Execution of an Amendment to the Lease Agreement with Crown Roanoke, LLC, in connection with office space located at 111 Franklin Road, S. W., Suite 200, for a period of five years, commencing June 1, 2005.

The ordinance was tabled.

File #373-450

6. Transfer of \$489,740.00 in connection with the Fire/EMS Facility Improvement Program.

Adopted Budget Ordinance No. 37011-040405. (7-0)

File #60-70

7. Authorization to grant a temporary construction easement across City-owned property to the Higher Education Authority.

Adopted Ordinance No. 37012-040405. (6-0 - Council Member Wishneff abstained from voting due to a conflict in interest.)

File #28-166-414

b. CITY ATTORNEY:

1. Authorization for waiver of the City's sovereign immunity in connection with the use of Valley View Mall on Saturday, April 16, 2005, for the Fair Housing Fair.

Adopted Ordinance No. 37013-040405. (7-0)

File #178-455

William H. Lindsey and David B. Carson were interviewed for vacancies on the Roanoke City School Board.

File #467

c. DIRECTOR OF FINANCE:

1. Financial report for the month of February 2005.

Received and filed.

File #10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

Council Member Dowe congratulated the Delta Sigma Theta Sorority on the successful Jabberwock production that was held on Saturday, April 2, 2005, at The Jefferson Center. File #80-132

Council Member Cutler advised that the Virginia Department of Transportation has tentatively allocated \$85,000.00 toward restoration of the fire damaged Virginian Passenger Railway Station, which amount is in addition to \$250,000.00 in Federal funds that Congressman Bob Goodlatte was instrumental in acquiring for the project. File #77-132

Council Member Cutler advised that the greenway program has been awarded \$294,000.00 from TEA-21 funds from the Virginia Department of Transportation to continue funding for regional greenway trails. File #77-132-379

Council Member McDaniel inquired if there are penalties in connection with placing debris in front of property in the City of Roanoke for periods longer than 24 hours prior to collection. File #132-144

Council Member Wishneff clarified portions of a report submitted by the consultant with regard to Victory Stadium; i.e.: brick/masonry, foundation, seats (concrete), and subsurface settling.

File #122-132

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

The following persons addressed Council with regard to management of the City Market Building:

Easter P. Moses, 120 Church Avenue, S. W.

Kevin Corvo, 1952 Grandin Road, S. W.

David Estrada, 328 Griffin Lane, Floyd, Virginia

Georgia Crump, 1012 Stevens Road, Troutville, Virginia

Robert Craig, 701 12th Street, S. W.

Anita Wilson, 32 Market Square

Louis Wilson, 32 Market Square

File #42-66

Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of the renovation and promotion of Victory Stadium.

File #122

Suzanne Osborne, 1702 Blair Road, S. W., spoke with regard to backflow testing of private irrigation systems in the City of Roanoke. She requested that approximately 71 homeowners be grandfathered and that the City readdress the issue.

File #468

12. CITY MANAGER COMMENTS:

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED ON TUESDAY, APRIL 12, 2005, AT 12:00 P.M., AT THE BRAMBLETON CENTER, 3738 BRAMBLETON AVENUE, S. W., ROOM NO. 1, FOR A JOINT MEETING OF THE ROANOKE CITY COUNCIL AND THE ROANOKE COUNTY BOARD OF SUPERVISORS AND THEIR RESPECTIVE LIBRARY BOARDS.